

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAWRENCE MALLY, on behalf of himself and all others similarly situated,

Plaintiff,

v.

QIAO XING UNIVERSAL TELEPHONE, INC.,
RUI LIN WU and ALBERT LEUNG,

Defendants.

ISSAC FISHMAN, Custodian for the IBF Foundation, on behalf of itself and all others similarly situated,

Plaintiff,

v.

QIAO XING UNIVERSAL TELEPHONE, INC.,
WU RUI LIN, WU ZHI-YANG, ALBERT LEUNG, SONNY KWOK WING HUNG, ZE YUN MU, YI HONG ZHANG, and GROBSTEIN, HORWATH & COMPANY, LLP,

Defendants.

ELECTRONICALLY FILED

CIVIL ACTION No. 07cv7097 (DLC)

CIVIL ACTION No. 07cv7312 (DLC)

(Additional captions on following page)

**NOTICE OF MOTION OF LAWRENCE MALLY AND LARRY TRACY FOR
(1) CONSOLIDATION; (2) APPOINTMENT AS LEAD PLAINTIFFS; AND
(3) APPROVAL OF LEAD PLAINTIFFS' CHOICE OF LEAD COUNSEL**

MICHAEL LOCKE, on behalf of himself and all others similarly situated,

Plaintiff,

v.

QIAO XING UNIVERSAL TELEPHONE, INC.,
RUI LIN WU, ZHI-YANG WU, ALBERT
LEUNG, SONNY KWOK WING HUNG, ZE YUN
MU, YI HONG ZHANG, and GROBSTEIN,
HORWATH & COMPANY, LLP,

Defendants.

REUVEN LAPIN, individually and on behalf of all others similarly situated,

Plaintiff,

v.

QIAO XING UNIVERSAL TELEPHONE, INC.,
RUI LIN WU and ALBERT LEUNG,

Defendants.

ELECTRONICALLY FILED

CIVIL ACTION No. 07cv7693 (DLC)

ELECTRONICALLY FILED

CIVIL ACTION No. 07cv7829 (DLC)

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

Lead Plaintiff Movants, Lawrence Mally (“Mally”) and Larry Tracy (“Tracy”), through their undersigned counsel, will and hereby do move this Court on a date and at such time as may be designated by the Court at the United States Courthouse, Courtroom 11B, 500 Pearl Street, New York, NY, 10007, for an order: (1) consolidating the Related Actions; (2) appointing Mally and Tracy as Lead Plaintiffs pursuant to §21D(a)(3)(B) of the Securities Exchange Act of 1934 (the “Exchange Act”); and (3) approving Lead Plaintiffs’ choice of Lead Counsel.

This Motion is made on the grounds that: 1) Mally and Tracy believe they are the most adequate plaintiffs possessing claims arising out of the Exchange Act, having suffered estimated losses of approximately \$97,152.72. In addition, Mally and Tracy meet the requirements of Rule 23 of the Federal Rules of Civil Procedure because their claims are typical of class members’ claims and they will fairly and adequately represent the class of persons that purchased securities of Qiao Xing Universal Telephone, Inc. securities between June 30, 2004 and July 16, 2007. Further, Mally and Tracy have selected and retained counsel experienced in securities class actions as its counsel.

The facts and law supporting this Motion are fully set forth in the accompanying Memorandum of Law and Declaration of Jeffrey P. Campisi dated October 9, 2007, both submitted in support of Mally’s and Tracy’s Motion for: (1) consolidation of the Related Actions; (2) Appointment of Lead Plaintiffs; and (3) Approval of Lead Plaintiffs’ Choice of Lead Counsel.

DATED: October 9, 2007

Respectfully submitted,

KAPLAN FOX & KILSHEIMER LLP

By: s/ Joel B. Strauss

Frederic S. Fox
Joel B. Strauss
Jeffrey P. Campisi
850 Third Avenue, 14th Floor
New York, NY 10022
Telephone: (212) 687-1980
Facsimile: (212) 687-7714

*Attorneys for Lead Plaintiff Movants
Lawrence Mally and Larry Tracy*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 9, 2007, I caused to be electronically filed the foregoing paper with the Clerk of the Court using the ECF System which will electronically send notification of such filing to the registered participants and paper copies will be sent via first-class mail postage pre-paid to those indicated as non-registered participants on October 9, 2007.

/s/ Jeffrey P. Campisi
Jeffrey P. Campisi

October 9, 2007